

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, FEBRUARY 26, 2015

1. **HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:**

None

HEARINGS TO BE HELD AT THE OFFICES OF THE PUBLIC UTILITIES COMMISSION, WALKER BUILDING, 21 SOUTH FRUIT STREET, CONCORD, NH:

March 19, 2015 @ 12:30 p.m.:

- a. Singin' Bowl, 10 Bridge Street #4, Pelham, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #401606 licensed pursuant to RSA 178:20-a.
Cited for violation of RSA 178:20-a, II – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.
Date of violation: February 6, 2014.
Case #: 14-42-OF.
LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.

March 19, 2015 @ 1:30 p.m.:

- b. Zaboo, 24 Depot Street, Manchester, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1494103 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests – 2 counts.
Dates of violations: October 31, 2014, September 6, 2014 & January 9, 2015.
Case #: 14-413-OF, 14-338-OF & 15-24-OF.
THE LICENSEE FILED A MOTION TO CONTINUE WHICH WAS GRANTED IN PART; NEW DATE TO BE DETERMINED.
SETTLEMENT PENDING.
HEARING REQUESTED BY LICENSEE.

Date to be determined:

- c. Jade Palace, 28 Portsmouth Avenue, Stratham, NH.
Restaurant Full Service With Lounge License #1476403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.
Date of violations: March 6, 2014.
Case #: 14-90-OF.
THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A MOTION TO CONTINUE.

April 16, 2015 @ 9:30 a.m.:

- d. Boston Billiard Club, 55 Northeaster Blvd., Nashua, NH.
Sports Entertainment License #6012305 licensed pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.
Dates of violations: July 18, 2014 & October 31, 2014.
Case #: 14-255-OF & 14-410-OF.

April 16, 2015 @ 10:30 a.m.:

- e. Club Manchvegas, 50 Old Granite Street, Manchester, NH.
Restaurant Full Service With Lounge License #1419703 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.
Date of violation: March 22 – 23, 2014.
Case #: 14-124-OF.
LICENSEE WILL FILE A MOTION TO CONTINUE.

April 16, 2015 @ 10:30 a.m.:

- f. Tokyo Express, 14 Cypress Street, Keene, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1438003 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 7 counts.
Cited for violation of RSA 179:8, I – failed to require the purchaser to furnish a motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, or province of Canada, which bears the date of birth, name, address and picture of the licensee.
Date of violations: April 11, 2014.
Case #: 14-135-OF.

April 16, 2015 @ 1:00 p.m.:

- g. Arena Sports Bar & Nightclub, 53 High Street, Nashua, NH.
Restaurant Full Service With Lounge License #1453303 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: February 1 - 2, 2013.
Case #: 14-116-OF.
**LICENSEE FILED A MOTION TO CONTINUE; DECISION PENDING.
MOTION GRANTED.**

Date to be determined:

- h. Club 550, 2025 White Mountain Highway, North Conway, NH.
Sports Entertainment License #2503005 licensed pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.
Date of violations: May 25, 2014.
Case #: 14-170-OF.
THE LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.

Date to be determined:

- i. Club Social, 240 Main Dunstable Road, Nashua, NH.
Social Club License #16501 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises – 3 counts.
Dates of violations: July 18, 2013 – the present & May 3, 2014.
Case #: 14-91-OF & 14-170-OF.
THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A MOTION TO CONTINUE.
LICENSE IS IN SAFEKEEPING.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Bon Bon Mobil, 140 DW Highway, Merrimack, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3232347 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:23, IV and VI – allowed a convicted felon to work longer than 60 days without obtaining a waiver.
Date of violation: December 6, 2014.
Case #: 15-10-OF.
\$2,000 administrative fine with \$1,500 suspended for twelve (12) months pending no like violation.
- b. Pacific Fusion Restaurant, 356 D.W. Highway, Merrimack, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1442203 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: July 26, 2014.
Case #: 14-265-OF.
An administrative fine of \$500, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing February 28, 2015 with re-grant on March 2, 2015, Zhou Yang, Klanesha Landry and Jessica Bourgeois shall attend a Management Training Seminar (MTS) in a classroom on the next available.

3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

None

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Hamra Noodles LLC, 219 Daniel Webster Highway, Nashua, NH 03060.
To be issued Restaurant On-Premise Beverage and Wine License #1493803 pursuant to RSA 178:20.
- b. Lee Wah Restaurant, Inc., 118 Whittier Highway, Moultonborough, NH 03254.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1501703 pursuant to RSA 178:21.
30 Day Temporary License issued: 2/18/2015.
- c. Parr1 Bowl, Inc. DBA Alley Kat Grille, 16 Rockingham Road, Windham, NH 03087.
To be issued Restaurant On-Premise Beverage and Wine License #1501403 pursuant to RSA 178:20.
30 Day Temporary License issued: 2/19/2015.

- d. Parr1 Bowl, Inc. DBA Jonathon's At Park Place, 16 Rockingham Road, Windham, NH 03087. To be issued Sports Recreation Facility On-Premise Cocktail Lounge License #6018905 pursuant to RSA 178:22, V(u). 30 Day Temporary License issued: 2/19/2015.
- e. Portsmouth Pro Musica, Discover Portsmouth Center, 10 Middle Street, Portsmouth, NH 03801. To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:22, V(l). Event date: 3/8/2015.
- f. Smuttynose Brewing Co., Inc. DBA Hayseed Restaurant, 105 Towle Farm Road, Hampton, NH 03842. To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1501603 pursuant to RSA 178:21. 30 Day Temporary License issued: 2/18/2015.
- g. St. Raphael Church, St. Benedict Academy Gym, 85 Third Street, Manchester, NH 03102. To be issued off sale special licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:17, II. Event date: 3/7/2015.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

6. SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING FEBRUARY 24, 2015: 1,111

- a. A Grape Affair LLC, 77 Liverty Common, Rye, NH 03870. To be issued Alcohol Consultant #503044 pursuant to RSA 178:27-a.
- b. Foley Family Wines, Inc. DBA Foley Johnson, 8350 St. Helena Hwy., Rutherford, CA 94573. Direct Shipper Permit pursuant to RSA 178:27.
- c. Foley Family Wines, Inc. DBA Four Graces (The), 9675 NE Fox Farm Road, Dundee, OR 97115. Direct Shipper Permit pursuant to RSA 178:27.
- d. GBF Enterprises LLC DBA Wayne Gretzky Estates, 355 Fourth Street E., Sonoma, CA 95476. Direct Shipper Permit pursuant to RSA 178:27.
- e. Grace Family Vineyards LLC, 1210 Rockland Drive, St. Helena, CA 94574. Direct Shipper Permit pursuant to RSA 178:27.
- f. Haynes, Linda, 511 Mammoth Road, Londonderry, NH 03053. To be issued Alcohol Consultant #503344 pursuant to RSA 178:27-a.
- g. Pott, Aaron and Pott, Claire DBA Pott Wine, 6126 Silverado Trail, Napa, CA 94558. Direct Shipper Permit pursuant to RSA 178:27.

7. SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. CANCELLATION OF PERMITS FOR COMMISSION APPROVAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Family Dollar, Inc. DBA Family Dollar 3493, 3700 Henniker Street, Hillsborough, NH 03244.
Retail Tobacco License #121617 licensed pursuant to RSA 178:19-a.
Date petition received: 2/10/2015.
Requested approval for authorization to transfer business location, to wit, transfer location from 3700 Henniker Street, Hillsborough, NH to 59 Henniker Street, Hillsborough, NH on February 17, 2015 pursuant to RSA178:29, VIII.
- b. Khater, Aldean DBA True Tobacco, 295 DW Highway, Nashua, NH 03060.
Retail Tobacco License #130817 licensed pursuant to RSA 178:19-a.
Date petition received: 2/4/2015.
Requested approval for authorization to transfer business location, to wit, transfer location from 295 DW Highway, Nashua, NH to 295 DW Highway, Unit 1B, Nashua, NH as indicated in a letter dated January 30, 2015 pursuant to RSA178:29, VIII.
- c. Lee Wah Restaurant, Inc., 118 Whittier Highway, Moultonborough, NH 03254.
Restaurant On-Premise Beverage/Wine/Liquor License #1501703 licensed pursuant to RSA 178:21.
Date petition received: 2/18/2015.
Requested a waiver for leasing/access part of the business, to wit, to allow direct access to a residence from a business and to be locked at all times pursuant to RSA 179:48.
- d. Rockingham Brewing Company LLC, 1 Corporate Park Drive, # 1, Derry, NH 03038.
Nano Brewery, Beer and/or Specialty Beer License #202222 licensed pursuant to RSA 178:12-a.
Date petition received: 2/16/2015.
Requested approval for authorization of other areas, to wit, Town of Hopkinton Farmers' Market at Town Hall, Hopkinton, NH from 10:00 am to 2:00 pm every Saturday between February 28, 2015 and May 30, 2015 pursuant to RSA 178:24 and Liq. 404.05.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

11. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

12. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

None

13. NOTIFICATION OF COMPLIANCE CHECKS:

None

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

None

16. **MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

None